

REMARKS

This application has been carefully reviewed in light of the Office Action dated May 29, 2009. Claims 1-16 are currently pending in the application, with Claims 1, 7, 9 and 13 being independent claims. Claims 1, 7, 9, and 13 have been amended. No new matter is believed to have been introduced to the application by this amendment. Support for the amendments can be found, for example, on pages 25, 30, 31, 65, 67, and 84. Reconsideration and further examination are respectfully requested. In view of the foregoing remarks, all of the claims under consideration are believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Initially, Applicants thank the Examiner for the courtesies extended to Applicants' undersigned representative during the telephonic interview conducted on August 19, 2009, in which the outstanding claim rejection of Claim 13 under 35 U.S.C. § 101 and the rejection of the independent claims under § 103 were discussed. The subject matter of the telephonic interview is included below.

CLAIM REJECTIONS UNDER 35 U.S.C. § 101

Claims 7, 8, and 13-16 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

Claim 7 is rejected as allegedly being a system of software per se. Applicants have amended Claim 7 to recite "a user interface stored in computer-readable memory." Applicants respectfully submit that Claim 7 as amended is tied to a statutory class of patentable subject matter. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 101 of Claim 7, and Claim 8 which depends therefrom, are respectfully requested.

Claim 13 is rejected as allegedly intending to cover signals, which are non-statutory subject matter. Applicants have amended the specification in accordance with the discussion during the telephonic interview, and respectfully submit that Claim 13 is not intended to cover non-statutory subject matter. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 101 of Claim 13, and Claims 14-16 which depend therefrom, are respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103

Claims 1-5 and 7-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,470,171 (“Helmick”) in view of U.S. Patent No. 6,484,156 (“Gupta”). Claim 6 is understood to have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Helmick in view of Gupta and the Examiner’s official notice.

A rejection under 35 U.S.C. § 103 in view of a prior art reference can be properly sustained if the references either expressly or impliedly suggest the claimed invention. MPEP Section 706.02(j); Ex parte Clapp, 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985).

It is respectfully submitted that the applied references fail to satisfy these very high burdens. Specifically, and as discussed during the telephonic interview, the applied references nowhere teach or suggest utilizing a known application program interface (API) to modify a user interface, invoke an enhanced system functionality by using the modified user interface, and grant access to a user to utilize the enhanced system functionality if the user has rights to utilize the enhanced system functionality based on the role of the user, as featured in amended independent Claim 1. Likewise, the applied references nowhere teach or suggest a plug-in manager configured to add new functionality to an extensible education system by modifying a user interface, and grant or deny a user access to the new functionality based on the role of the

user in the extensible educational system, as featured in amended independent Claims 7, 9, and 13.

The Office Action concedes that Helmick does not teach using an API to provide a modified user interface, and that Helmick does not teach a plug-in manager configured to add new functionality to an extensible education system. Office Action, p.6, 8. The Office Action, however, contends that Gupta at col.6 ll.39-44 teaches Applicants' claimed API to provide a modified user interface, and Applicants' claimed plug-in manager. Applicants respectfully disagree with this contention.

Gupta at col.6 ll.39-44 discloses that "Multimedia Annotation Web Server (MAWS) module 130, ... is an Internet Services Application Programming Interface (ISAPI) plug-in for Internet Information Server (IIS) module 135. Together, these two modules provide the web server functionality of annotation server 10." This disclosure is directed to providing web server functionality of a server, not providing a modified user interface, or adding new functionality to an extensible education system by modifying a user interface. Furthermore, Gupta is nowhere seen to teach or suggest utilizing a known API to modify a user interface, invoke an enhanced system functionality by using the modified user interface, and grant access to a user to utilize the enhanced system functionality if the user has rights to utilize the enhanced system functionality based on the role of the user, as featured in amended independent Claim 1, or a plug-in manager configured to add new functionality to an extensible education system by modifying a user interface, and grant or deny a user access to the new functionality based on the role of the user in the extensible educational system, as featured in amended independent Claims 7, 9, and 13.

Accordingly, the applied references do not teach or suggest the features of the independent claims. Furthermore, because the remaining dependent claims depend from at least

Application No.: 10/643,074

one of the independent claims, and for reasons of their additional patentable limitations, the remaining claims also could not have been anticipated by or obvious in view of the applied references. Therefore, Applicants respectfully request that the Examiner withdraw the rejections of Claims 1-16 under 35 U.S.C. § 103(a).

CONCLUSION

Applicant respectfully requests immediate allowance of the present application, the claims of which define patentable subject matter.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

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